

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Civil Action No. 1:15-cv-00081-JBS-AMD

Russ Smith,

Plaintiff,

v.

Director's Choice, LLP

Defendant.

RECEIVED

MAY - 6 2019

AT 8:30 M  
WILLIAM T. WALSH, CLERK

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Letter to Follow Up May 30, 2019 Oral Arguments

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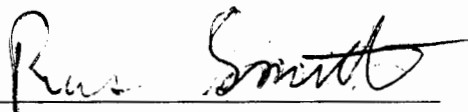
**Sent via US mail to chambers with a copy to the Clerk**

Dear Judge Simandle:

During the oral arguments on May 30, 2019 Director's Choice, LLP ("DC") asserted they did not have copies of the communications related to their attempts to buy the disputed domain name at the time they filed the UDRP domain dispute with the Administrative Panel. However, attached are various communications supplied by DC during discovery where DC employed various agents to try to buy the disputed domain name. The last item is shortly before DC filed the UDRP dispute and was apparently in anticipation of filing the UDRP Complaint. There is no question DC had copies and knew about these communications at the time they filed their UDRP complaint and Supplemental filing yet they did not supply them or describe them while certifying the Complaint was complete.

Smith did not know these communications originated from DC and he could not provide arguments to the Administrative Panel that DC created an artificial bidding war for the disputed domain name. DC attributed the price to bad faith actions by Smith rather than the artificial bidding war they created.

Respectfully submitted,



Russ Smith, *pro se*

cc: Matthew Kaplan via fax


Friday, January 9, 2015 at 6:15:45 PM Central Standard Time

**Subject:** DIRECTORSCHOICE.COM Negotiation Update

**Date:** Friday, November 9, 2012 at 11:47:40 AM Central Standard Time

**From:** domainbuy@godaddy.com

**To:** tcaliva@dctandt.com



**DOMAIN BUY  
SERVICE**

## Domain Negotiation Update

Customer No: 6220088  
Claim ID: 470556

Dear Trey Caliva,

We are continuing efforts to negotiate for the domain DIRECTORSCHOICE.COM on your behalf. We have attempted to make contact with the person to whom the domain is registered and are awaiting their response. As soon as we receive a response from our latest communication, we will contact you with an update. In the meantime, we wanted to provide you with some information on the Go Daddy® Domain Buy Service and what you can expect.

First, we send email using the domain registrant's contact information as shown on the public Whois record. These emails include an opening offer based on the minimum and maximum bid amount values you provided us. We usually send email once or twice a week to stay in compliance with anti-spam regulations.

If for some reason we do not get a response from the emails sent out, we will then attempt to call the owner, as long as they do not have the domain subscribed to a privacy service. We continue our attempts over the 30-day term of the Go Daddy Domain Buy Service contract and update you periodically during this time.

If you have any questions about the Go Daddy Domain Buy Service process, please respond to this email or contact the Domain Buy Service team at (480) 366-3303, Monday-Friday 6:30am-5:30pm and Saturday-Sunday 7am-4pm, Arizona time.

Sincerely,

Go Daddy Domain Buy Service

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Friday, January 9, 2015 at 6:15:45 PM Central Standard Time

**Subject:** DIRECTORSCHOICE.COM - Negotiation Update

**Date:** Saturday, November 10, 2012 at 1:13:56 PM Central Standard Time

**From:** domainbuy@godaddy.com

**To:** tcaliva@dctandt.com



Domain: DIRECTORSCHOICE.COM  
Claim ID: 470556

Dear Trey Caliva,

We have presented an initial offer to the seller of domain DIRECTORSCHOICE.COM, however, neither acceptance nor counter-offer has been received to date. We will continue to work towards engaging the seller in negotiations through the 30-day term of the contract.

If you have any questions about the Go Daddy® Domain Buy Service process, please respond to this email or contact the Domain Buy Service team at (480) 366-3303, Monday-Friday 6:30am-5:30pm and Saturday-Sunday 7am-4pm, Arizona time.

Sincerely,

Go Daddy Domain Buy Service

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Friday, January 9, 2015 at 6:15:45 PM Central Standard Time

**Subject:** DIRECTORSCHOICE.COM - Negotiation Update

**Date:** Friday, November 16, 2012 at 5:32:52 PM Central Standard Time

**From:** domainbuy@godaddy.com

**To:** tcaliva@dctandt.com



Friday, January 9, 2015 at 6:15:45 PM Central Standard Time

**Subject:** DIRECTORSCHOICE.COM - Negotiation Update

**Date:** Wednesday, November 28, 2012 at 1:15:29 PM Central Standard Time

**From:** domainbuy@godaddy.com

**To:** tcaliva@dctandt.com



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## DirectorsChoice.com Domain

1 message

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**Ryan McKegney** <ryan@domainagents.com>  
To: tcaliva@dctandt.com

Wed, Jul 9, 2014 at 9:12 AM

Hello,

We've exchanged a few emails with the owner of DirectorsChoice.com. It seems that he's looking for \$45000 for the name. He's very aggressively stuck to that number, so it doesn't seem like he's going to budge much and he hasn't expressed interest in trading counter offers. I wanted to pass that along since he hasn't been willing to engage much on the site.

Let me know if I can help at all,

Ryan

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**Ryan McKegney**

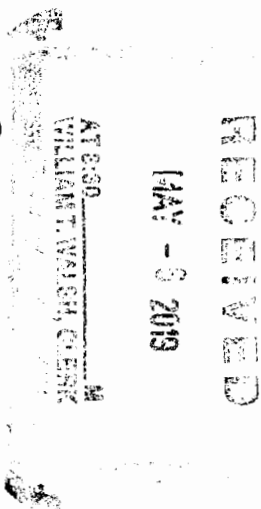
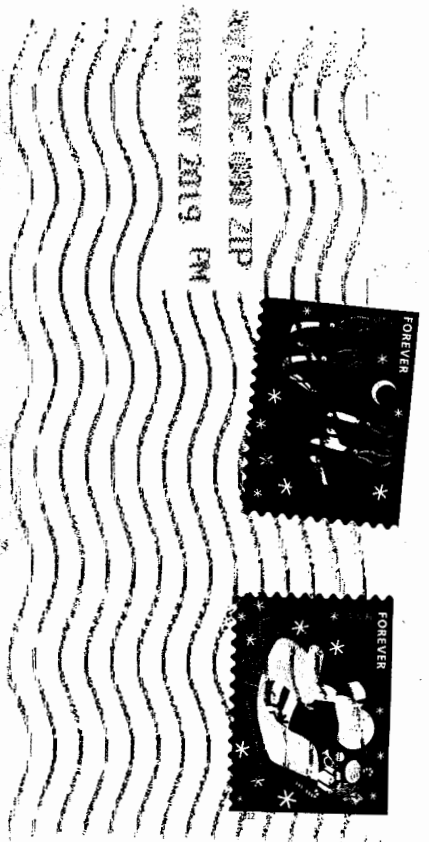
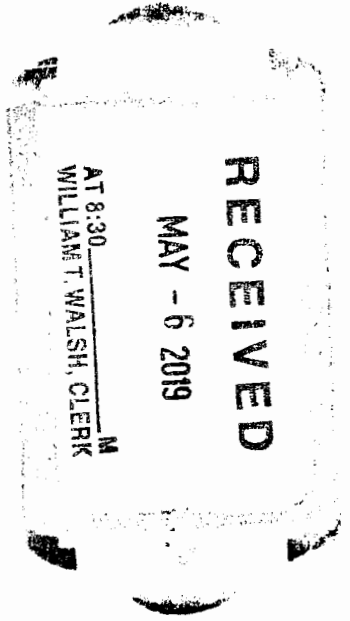
Co-Founder DomainAgents Platform Inc.

Web: DomainAgents.com Email: ryan@domainagents.com Phone: +1 (415) 800-4126 Skype: ryanmck

Russ Smith

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